

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
:
v. : 1:20CR342-1
:
ROSALVA NEGRETE-TOLEDO, :
also known as Rosalva Cortes :
:

FACTUAL BASIS

NOW COME the United States of America, by and through Matthew G.T. Martin, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11(b)(3), Fed. R. Crim. P., states as follows:

Rosalva Negrete-Toledo, aka Rosalva Cortes (“Negrete-Toledo”) was born on March 14, 19XX in Santa Barbara, Guanajuato, Mexico and is a citizen of Mexico. In February 1981, Negrete-Toledo entered the United States without inspection near Laredo, Texas. On or about January 27, 1988, Negrete-Toledo filed an Application for Temporary Resident Status with the U.S. Immigration and Naturalization Service (“INS”) pursuant to the Special Agricultural Worker legalization program established by section 210 of the Immigration and Nationality Act (“INA”). On February 29, 1988, INS approved the application and granted Temporary Resident Status to Negrete-Toledo. On or about June 19, 1989, Negrete-Toledo filed an Application to Adjust Status

from Temporary Resident to Permanent Resident (using a so-called Form I-698). On August 29, 1989, INS approved the Form I-698 application, thereby granting Lawful Permanent Resident status to Negrete-Toledo. Her alien file reference number is XXX 243 769.

On or about November 1, 2013, Negrete-Toledo filed an Application for Naturalization (Form N-400) with U.S. Citizenship and Immigration Services (“USCIS”), but USCIS did not ultimately approve her application. Negrete-Toledo has not otherwise applied for nor petitioned for United States citizenship. Negrete-Toledo, in fact, is not and never has been a United States citizen.

Negrete-Toledo registered to vote in Forsyth County, North Carolina.

On November 6, 2018, in Forsyth County, North Carolina, Negrete-Toledo voted in the November 2018 election. The November 2018 election was

held for the purpose of electing a candidate for the office of Member of the United States House of Representatives, among other positions on the ballot.

This the 6th day of January, 2021.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2021, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

John A. Duberstein, Attorney for Defendant

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